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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,475	08/23/2002	Umberto Avanzi	2510-1001	2944

466 7590 08/16/2006

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EXAMINER

ADE, OGER GARCIA

ART UNIT PAPER NUMBER

3627

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/088,475

Applicant(s)

AVANZI, UMBERTO

Examiner

Garcia Ade

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The Amendment filed on June 21st, 2006 under 37 CFR 1.131 has been considered. Claims 15 - 17, and 25 - 26 have been amended. Applicant requested reconsideration of the outstanding rejection of claims 15-27, but they stand rejected in the office action.
2. The Examiner withdraws the specification objection, and claims 15, 16, and 24 - 27 objection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 15 - 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogasawara [US 6,123,259].

As per claims 15, 22, 23, and 25 - 27, Ogasawara discloses a system for making purchases by a customer at a shopping center of the self-service type, comprising: means for storing the position of each product on sale in the center [see abstract (e.g. the ***locations of desired items*** on either a shopping list) and first paragraph of the summary of the invention

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(e.g. ***promotional items***)), means for providing a shopping list of products to be purchased [see abstract, fourth paragraph of the summary section of the invention, and ***figure 6***], means for determining the position of each product to be purchased [see figure 7 (e.g. block 314)] and means for providing the customer with an indication of the products to be purchased in ordered sequence according to a path inside the center [see figure 8 (e.g. location-a/b, and aisle 1-aisle 8)].

As per claim 16, Ogasawara discloses a portable processing device having means for displaying a name and a coordinate, inside the center, of each product to be purchased [see figure 1 (e.g. block 5), and second paragraph of the summary section of the invention (e.g. ***the mobile terminal is a microprocessor controlled unit; LCD display panel***)].

As per claim 17, Ogasawara discloses a computer of the center [see figure 1 (e.g. block 50)], the computer further comprising means for producing an ordered shopping list according to the path and comprising, for each product to be purchased, the corresponding name and the corresponding coordinate [see column 3, lines 55 – 67, and column 3, lines 1 - 14], and the system comprises means for communication between the computer and the portable device [see second paragraph of the summary of the invention (e.g. ***the mobile terminal*** is further configured to ***communicate with a store central computer*** by means of an individually addressable RF communication transceiver)], the ordered shopping list being sent from the computer to the portable device [see fourth paragraph of the

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summary of the invention (e.g. ***the shopping list is then downloaded to the mobile terminal***)).

As per claim 18, Ogasawara discloses: the portable device comprises means for displaying in succession the indication of each current product to be purchased in response to a forward command [via display 10, column 4, lines 54 – 67, and column 5, lines 1 - 8].

As per claim 19, Ogasawara discloses: the portable device includes a bar-code reader for producing the forward command in response to the reading of a bar-code for the current product to be purchased, chosen by the user [see second paragraph of the summary section of the invention (e.g. a portable scanner configured to ***read bar code information directly from items being considered for purchase***), and column 5, lines 1 – 7 (e.g. ***bar code scanner 15***)]

As per claim 20, Ogasawara discloses: the computer comprises means for storing a possible special offer associated with each product on sale [via database 55 of figure 1, column 6, lines 60 - 67 (e.g. ***allocate coupon related discounts***)] and means for adding the corresponding special offer to each product to be purchased in the ordered shopping list, the portable device further displaying special offer corresponding current product purchased [see paragraph bridging columns 15 and 16, lines 63 – 67, and lines 6 – 10].

As per claim 21, Ogasawara discloses: the special offer includes a discount applied to a price of the product on sale [see paragraph bridging columns 15 and 16, lines 63 – 67, and lines 6 – 10], and wherein the

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portable device comprising means for determining an amount saved equal to the sum of the discounts corresponding to the product to be purchased chosen by the user, the portable device further displaying the amount saved [see column 15, second paragraph, lines 29 - 49].

As per claim 24, Ogasawara discloses signaling means for indicating a zone in which the current product to be purchased is located [see figure 7 (e.g. block 314)], the portable device comprising means for selectively activating the signaling means [see figure 5 (e.g. process initiates at **start bubble 150**)], paragraph bridging columns 13 and 14].

Conclusion

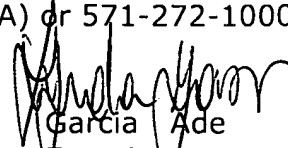
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Garcia Ade whose telephone number is 571.272.5586. The examiner can normally be reached on M-F 8:30AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571.272.6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on

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access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Garcia Ade
Examiner
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ga